

## Jackson, Laurianne

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**From:** Brudwick, Michael [MBrudwick@TitleCoRockies.com]  
**Sent:** Tuesday, April 08, 2014 9:45 AM  
**To:** Jackson, Laurianne  
**Cc:** 'Mike Jackson'; 'Dave Kleinkopf (dkleinkopf@battlemountainresort.com)'; Brudwick, Michael  
**Subject:** RE: Battle North

Laurianne,

Just noticed I didn't send the "Nelson Addition" chain.

Here they are again:

Chain: Nelson Addition	<a href="#">HTMCh01_NelsonAddition</a>
Chain: HES46	<a href="#">HTMCh02_HES46</a>
Chain: HES40	<a href="#">HTMCh03_HES40</a>
Chain: HES41	<a href="#">HTMCh04_HES41</a>
Chain: River Bend Mill Site	<a href="#">HTMCh05_RiverBendMilSite</a>
Chain: Brooklyn Placer	<a href="#">HTMCh06_Brooklyn</a>
Chain: Gold Star Treasury Vault	<a href="#">HTMCh07_GoldStarTreasVault</a>
Chain: Mars Mill Site	<a href="#">HTMCh08_MarsMillsite</a>
Chain: May No 5 Lode	<a href="#">HTMCh09_MayNo5</a>
Chain: May No 14 Lode	<a href="#">HTMCh10_May14</a>
Chain: Ruby Lode	<a href="#">HTMCh11_Ruby</a>

Thanks again,

*Mike*

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**From:** Brudwick, Michael  
**Sent:** Tuesday, April 08, 2014 9:17 AM  
**To:** 'Jackson.Laurianne@epa.gov'  
**Cc:** Mike Jackson; Dave Kleinkopf (dkleinkopf@battlemountainresort.com)  
**Subject:** RE: Battle North

Dear Lauianne,

Below are links to the chain(s) of title to the North Property.

Chain: HES46	<a href="#">HTMCh02_HES46</a>
Chain: HES40	<a href="#">HTMCh03_HES40</a>
Chain: HES41	<a href="#">HTMCh04_HES41</a>
Chain: River Bend Mill Site	<a href="#">HTMCh05_RiverBendMilSite</a>
Chain: Brooklyn Placer	<a href="#">HTMCh06_Brooklyn</a>
Chain: Gold Star Treasury Vault	<a href="#">HTMCh07_GoldStarTreasVault</a>
Chain: Mars Mill Site	<a href="#">HTMCh08_MarsMillsite</a>
Chain: May No 5 Lode	<a href="#">HTMCh09_MayNo5</a>
Chain: May No 14 Lode	<a href="#">HTMCh10_May14</a>
Chain: Ruby Lode	<a href="#">HTMCh11_Ruby</a>

Please contact me if you have any questions.

Thank you,

*Mike*

**Michael J. Brudwick**

Senior Title Officer

**Title Company of the Rockies**

10 West Beaver Creek Blvd, Suite 221

Avon, Colorado 81620-0980

Toll Free: (888) 949-8133 Local: (970) 949-9497 Fax: (970) 949-9486

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**Colorado Brokers:** For Consumer Choice (CP-34) of the Selection

of a Settlement Provider, please click on [Choosing a Local Title Company](#) as an easy way to provide that information to your client.

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**From:** Dave Kleinkopf [<mailto:dkleinkopf@battlemountainresort.com>]

**Sent:** Monday, April 07, 2014 11:08 AM

**To:** Brudwick, Michael

**Cc:** Mike Jackson

**Subject:** FW: Battle North

Mike:

Would you mind doing me a big favor? Could you send Laurianne a copy of the deeds that comprise the North Property? She is an attorney for the EPA. I'm sending a copy of this to Mike Jackson, as the two of you may be able to coordinate.

Thanks again.

Dave

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**From:** Jackson, Laurianne [<mailto:Jackson.Laurianne@epa.gov>]

**Sent:** Monday, April 7, 2014 9:32 AM

**To:** Jackson, Laurianne; Dave Kleinkopf

**Subject:** RE: Battle North

Hi Dave

It turns out I really do need the deeds or tax information for the North Property. I found property descriptions of the North Property in the five year review but I am unable to get my hands on the deeds. In order to be clear regarding "record" title owner, the EPA needs a record.

If you could help me with this I'd really appreciate it. We will be doing our own investigation into our records today too. I am hopeful you would have the title information as exhibits to one of your court filings or somewhere else that is easily accessible.

Laurianne M. Jackson  
Enforcement Attorney  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street (8ENF-L)  
Denver, CO 80202-1129  
Phone: 303/312-6950  
Fax: 303/312-6953

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**From:** Jackson, Laurianne  
**Sent:** Thursday, April 03, 2014 2:42 PM  
**To:** 'Dave Kleinkopf'  
**Subject:** RE: Battle North

I think I found what I need in the latest 5-year review. Save your time and I'll touch base if I need more.  
Thank you

Laurianne M. Jackson  
Enforcement Attorney  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street (8ENF-L)  
Denver, CO 80202-1129  
Phone: 303/312-6950  
Fax: 303/312-6953

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**From:** Dave Kleinkopf [<mailto:dkleinkopf@battlemountainresort.com>]  
**Sent:** Thursday, April 03, 2014 2:10 PM  
**To:** Jackson, Laurianne  
**Subject:** Re: Battle North

Honestly I don't know how much trouble it would be because I haven't looked at them in several years. Let me do some checking around and see what I can do.

Sent from my iPhone

On Apr 3, 2014, at 1:34 PM, "Jackson, Laurianne" <[Jackson.Laurianne@epa.gov](mailto:Jackson.Laurianne@epa.gov)> wrote:

Thank you, Dave.

If its not too much trouble (I'm sure we have it somewhere), could you send me the deed (or deeds) to the North Property? I want to clean up our files so we don't have to keep revisiting this issue. Again, only if its not too much trouble (I assume you have these deeds readily available, but I could be mistaken).

Thanks

Laurianne M. Jackson  
Enforcement Attorney  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street (8ENF-L)  
Denver, CO 80202-1129  
Phone: 303/312-6950  
Fax: 303/312-6953

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**From:** Dave Kleinkopf [<mailto:dkleinkopf@battlemountainresort.com>]  
**Sent:** Tuesday, April 01, 2014 1:58 PM  
**To:** Jackson, Laurianne  
**Subject:** FW: Battle North

Laurianne:

I have attached a copy of the Spurious Document order. It is a pretty quick read. I think you'll get a good idea as to why we are so confident in our ability to prevail in this case. Let me know if you have any further questions, and I will add you to the distribution list with respect to all further proceedings. It was a pleasure speaking with you today.

All the best.

Dave

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**From:** Michael Martin [<mailto:MMartin@HamilMartin.com>]  
**Sent:** Monday, February 24, 2014 9:33 AM  
**To:** Dave Kleinkopf  
**Subject:** FW: Battle North

Dave -

Here it is.

*Michael Martin*  
Hamil/Martin LLC  
140 East 19th Avenue  
Suite 600  
Denver, CO 80203-1035  
(303) 830-1383 - Phone  
(303) 830-1057 - Fax  
[mmartin@hamilmartin.com](mailto:mmartin@hamilmartin.com)  
[www.hamilmartin.com](http://www.hamilmartin.com)

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**From:** Jude Capozelo  
**Sent:** Monday, February 24, 2014 9:21 AM  
**To:** Michael Martin  
**Subject:** Battle North

<image001.gif>

*Jude Capozelo*

*Legal Administrative Assistant*

*Hamil/Martin LLC*

*140 East 19th Avenue*

*Suite 600*

*Denver, CO 80203-1035*

*(303) 830-1383*

*Fax: (303) 830-1057*

*[jude@hamilmartin.com](mailto:jude@hamilmartin.com) -- **please note this is a new email address for me***

*[www.hamilmartin.com](http://www.hamilmartin.com)*

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**Title Company of the Rockies**

10 W. Beaver Creek Blvd #221, Box 980  
 Avon, CO 81620-0980  
 Phone: (970) 949-9497 Fax: (970) 949-9486  
[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: The Nelson Addition (Book 131 Page 76)**

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>08/14/1913</b>	<b>05/18/1914</b>	<b>82 16</b>	<b>31928</b>

**Grantor:** COURSEN, CHARLES W

**Grantee:** TOWN OF MINTURN

1/2 Acre in future Nelson Addition (The Book 82 Page 16 Exception)

**Document:** Book 82 Page 16 Reception No. 31928

Reception No. RefMap31928

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>PATENT</u></b>	<b>06/13/1918</b>	<b>06/22/1918</b>	<b>85 190</b>	<b>36049</b>

**Grantor:** COLORADO, STATE OF

**Grantee:** COURSEN, CHARLES W

Patent - Southwest 1/4 & West 1/2 of the Southeast 1/4 of Section 36, Township 5 South, Range 81 West, except Railroad right of way. (Future "Nelson Addition" and other property)

All rights to any and all minerals, ore and metals of any kind and character, and all coal, asphaltum, oil, gas and other like substances in or under said land, the rights of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances, as reserved in Patent from the State of Colorado, recorded June 22, 1918, in Book 85 at Page 190 (Affects the "Nelson Addition").

NOTE: Long-Term Agreement to Restrict Mineral Development by and between the State of Colorado, acting by and through the State Board of Land Commissioners and Tigiwon Properties, L.L.C. recorded January 5, 2005 at Reception No. 902452.

Assignment of said Long Term Agreement made by Tigiwon Properties, LLC to Ginn Battle North, LLC dated December 10, 2004 and recorded January 5, 2005 at Reception No. 902453.

**Document:** Book 85 Page 190 Reception No. 36049

Reception No. RefMap36049

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>10/13/1919</b>	<b>10/14/1919</b>	<b>87 404</b>	<b>37348</b>

**Grantor:** COURSEN, CHARLES W

**Grantee:** STANFIELD, R N

Conveys the Southwest 1/4 & West 1/2 of the Southeast 1/4 of Section 36 Township 5 South Range 81 West (Future Nelson Addition and other property), except land conveyed to Town of Mintum in Book 82 Page 16, and except Highway in Book 69 Page 311, and except Railroad.

**Document:** Book 87 Page 404 Reception No. 37348

Reception No. RefMap37348

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>02/08/1930</b>	<b>02/11/1930</b>	<b>114 116</b>	<b>51198</b>

**Grantor:** STANFIELD, R N

**Grantee:** STANFIELD FEEDER COMPANY

Conveys lands including the future Nelson Addition and other property, except that part conveyed to Town of Mintum in Book 82 Page 16.

and except other interests not now in question.

Document: Book 114 Page 116 Reception No. 51198

Reception No. RefMap51198

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<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED OF TRUST</u></b>	02/08/1930	02/11/1930	113 363	51200
<i>Grantor:</i> STANFIELD FEEDER COMPANY		<i>Grantee:</i> ALLEN, JOSEPH D		

Conveys lands including the future Nelson Addition and other property, except that part conveyed to Town of Mintum in Book 82 Page 18, and except other interests not now in question.

Document: Book 113 Page 363 Reception No. 51200

Reception No. RefMap51200

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>NOTICE OF ELECTION AND DEMAND</u></b>	12/08/1933	12/13/1933	118 509	55826
<i>Grantor:</i> EAGLE COUNTY PUBLIC TRUSTEE STANFIELD FEEDER COMPANY		<i>Grantee:</i> ALLEN, JOSEPH D		

Note: See Deed of Trust Book 113 Page 363.

Document: Book 118 Page 509 Reception No. 55826

Reception No. RefMap55826

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>CERTIFICATE OF PURCHASE</u></b>	01/15/1934	01/15/1934	118 531	55919
<i>Grantor:</i> ALLEN, JOSEPH D EAGLE COUNTY PUBLIC TRUSTEE STANFIELD FEEDER COMPANY		<i>Grantee:</i> HARTNER, ELMER		

Note: See Deed of Trust Book 113 Page 363 and Notice of Election & Demand Book 118 Page 509.

Document: Book 118 Page 531 Reception No. 55919

Reception No. RefMap55919

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>PUBLIC TRUSTEE DEED</u></b>	09/09/1937	09/09/1937	124 127	61565
<i>Grantor:</i> ALLEN, JOSEPH D EAGLE COUNTY PUBLIC TRUSTEE STANFIELD FEEDER COMPANY		<i>Grantee:</i> HARTNER, ELMER		

Note: See Deed of Trust Book 113 Page 363, Notice Election & Demand Book 118 Page 509, and Certificate of Purchase Book 118 Page 531.

Conveys lands including the future Nelson Addition and other property, except that part conveyed to Town of Mintum in Book 82 Page 18, and except other interests not now in question.

Document: Book 124 Page 127 Reception No. 61565

Reception No. RefMap61565



<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/18/1937	11/18/1937	116 488	61902
<b>Grantor:</b> HARTNER, ELMER	<b>Grantee:</b> NELSON, ARTHUR NELSON, SIGFRED			

Conveys lands including the future Nelson Addition and other property, except that part conveyed to Town of Minturn in Book 82 Page 16, and except other interests not now in question.

Document: Book 116 Page 488 Reception No. 61902

Reception No. RefMap61902

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	02/18/1946	02/19/1946	131 76	73648
<b>Grantor:</b> NELSON, ARTHUR NELSON, SIGFRED	<b>Grantee:</b> NEW JERSEY ZINC COMPANY			

Creates and conveys the "Nelson Addition", so called "The Nelson Addition to New Jersey Zinc" in Book 131 Page 76 Excepts Town of Minturn in Book 82 Page 16, excepts Highway, and excepts other property not now in question.

Document: Book 131 Page 76 Reception No. 73648

Reception No. RefMap73648

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Deed</u></b>	05/19/1954	05/20/1954	140 163	83143
<b>Grantor:</b> TOWN OF MINTURN	<b>Grantee:</b> NEW JERSEY ZINC COMPANY			

Conveys all interest in land and easements in Book 82 Page 16 in favor of new easements recorded.

Document: Book 140 Page 163 Reception No. 83143

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	05/24/1974	10/31/1974	237 168	133172
<b>Grantor:</b> NEW JERSEY ZINC COMPANY	<b>Grantee:</b> GULF & WESTERN INDUSTRIES, INC.			

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

Document: Book 237 Page 168 Reception No. 133172

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	09/01/1983	09/12/1983	368 74	264395
<b>Grantor:</b> GULF & WESTERN INDUSTRIES, INC.	<b>Grantee:</b> MILLER, GLENN T			

Conveys all Gulf & Western property.

Document: Book 368 Page 74 Reception No. 264395

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/01/1983	09/12/1983	368 81	264402
<b>Grantor:</b> MILLER, GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 368 Page 81 Reception No. 264402

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 395 Page 786 Reception No. 292080

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	10/24/1995	07/16/1998		662867
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)		<b>Grantee:</b> MILLER, GLENN T.		

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

Document: Book Page Reception No. 662867

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	10/23/1996	08/31/1998		667858
<b>Grantor:</b> MILLER, GLENN T.		<b>Grantee:</b> MILLER, GLENN T.		

US BANKRUPT 98-23297MSK

US BANKRUPT 98-23297MSK

US Bankruptcy Court 98-23297-MSK (Affects all Miller Property)

Document: Book Page Reception No. 667858

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	04/07/1998	08/26/1998		667310
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b> MILLER, GLENN; ESTATE OF		

US BANKRUPT 98-23297MSK

ROSANIA, JOSPEH G, TRUSTEE

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

Document: Book Page Reception No. 667310

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>05/20/1998</b>	<b>10/13/1998</b>		<b>672563</b>
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSPEH G, TRUSTEE		<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY		

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>01/19/1999</b>	<b>08/28/2000</b>		<b>737734</b>
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 96-23297MSK		<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION		

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

Document: Book Page Reception No. 737734

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	<b>08/22/2000</b>	<b>08/28/2000</b>		<b>737735</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION		<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.		

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

Document: Book Page Reception No. 737735

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	<b>12/10/2004</b>	<b>12/14/2004</b>		<b>900517</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153,  
Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),  
Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153,  
Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	<b>12/10/2004</b>	<b>12/14/2004</b>		<b>900518</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 900518*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

*Document: Book Page Reception No. 932058*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 932059*


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The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: Homestead Entry Survey No. 46**

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>PATENT</u></b>	<b>05/16/1912</b>	<b>09/28/1917</b>	<b>93 3</b>	<b>35198</b>

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** GOODRICH, KATE

Patent - H.E.S. 46

Right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent dated May 16, 1912 and recorded September 28, 1917 in Book 93 at Page 3. (Affect H.E.S. 46)

 Document: Book 93 Page 3 Reception No. 35198
Reception No. RefMap35198

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>DEED</u></b>	<b>09/11/1918</b>	<b>09/14/1918</b>	<b>87 294</b>	<b>36217</b>

**Grantor:** GOODRICH, KATE

**Grantee:** EMPIRE ZINC COMPANY

Convey H.E.S. 46

 Document: Book 87 Page 294 Reception No. 36217
Reception No. RefMap36217

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>DEED</u></b>	<b>06/25/1938</b>	<b>06/28/1938</b>	<b>116 513</b>	<b>62933</b>

**Grantor:** EMPIRE ZINC COMPANY

**Grantee:** NEW JERSEY ZINC COMPANY

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

 Document: Book 116 Page 513 Reception No. 62933

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	<b>05/24/1974</b>	<b>10/31/1974</b>	<b>237 168</b>	<b>133172</b>

**Grantor:** NEW JERSEY ZINC COMPANY

**Grantee:** GULF & WESTERN INDUSTRIES, INC.

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf &amp; Western Industries, Inc.

 Document: Book 237 Page 168 Reception No. 133172

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>WARRANTY DEED</u></b>	<b>09/01/1983</b>	<b>09/12/1983</b>	<b>368 74</b>	<b>264395</b>

**Grantor:** GULF & WESTERN INDUSTRIES, INC.

**Grantee:** MILLER, GLENN T

Conveys all Gulf &amp; Western property.

 Document: Book 368 Page 74 Reception No. 264395

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/01/1983	09/12/1983	368 81	264402
<b>Grantor:</b> MILLER, GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 368 Page 81 Reception No. 264402

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 395 Page 786 Reception No. 292080

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	10/24/1995	07/15/1998		662867
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)		<b>Grantee:</b> MILLER, GLENN T.		

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

(Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

Document: Book Page Reception No. 662867

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	10/23/1996	08/31/1998		667858
<b>Grantor:</b> MILLER, GLENN T.		<b>Grantee:</b> MILLER, GLENN T.		
US BANKRUPT 96-23297MSK		US BANKRUPT 96-23297MSK		

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

Document: Book Page Reception No. 667858

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	04/07/1998	08/26/1998		667310
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b> MILLER, GLENN, ESTATE OF		
		US BANKRUPT 96-23297MSK		
		ROSANIA, JOSPEH G, TRUSTEE		

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

Document: Book Page Reception No. 667310

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	05/20/1998	10/13/1998		672563
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 98-23297MSK ROSANIA, JOSPEH G, TRUSTEE	<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY			

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY	<b>Grantee:</b> GINN BATTLE NORTH LLC			

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153,  
Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),  
Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153,  
Except part of Nelson Addition conveyed to Town of Minturn in Book 82 Page 18, and  
Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY	<b>Grantee:</b> GINN BATTLE NORTH LLC			

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Minturn Exception Book 82 Page 18 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 900518

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Document: Book Page Reception No. 932058

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and for a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059





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The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: Homestead Entry Survey No. 40**

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>PATENT</u></b>	<b>03/17/1912</b>	<b>11/25/1912</b>	<b>48 582</b>	<b>48582</b>

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** BOLT, LOUIS J

Patent - H.E.S. 40

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded November 25, 1912, in Book 48 at Page 582. (Affects H.E.S. 40)

**Document:** Book 48 Page 582 Reception No. 48582

**Reception No. RefMap**48582

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>DEED</u></b>	<b>05/21/1918</b>	<b>06/10/1918</b>	<b>87 269</b>	<b>36015</b>

**Grantor:** BOLT, FRANCIS S

**Grantee:** EMPIRE ZINC COMPANY

BOLT, LOUIS J

Conveys H.E.S. 40 and H.E.S. 41 less the Pine Martin/HES41 Exception

**Document:** Book 87 Page 269 Reception No. 36015

**Reception No. RefMap**36015

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>DEED</u></b>	<b>06/25/1938</b>	<b>06/28/1938</b>	<b>116 513</b>	<b>62933</b>

**Grantor:** EMPIRE ZINC COMPANY

**Grantee:** NEW JERSEY ZINC COMPANY

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

**Document:** Book 116 Page 513 Reception No. 62933

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	<b>05/24/1974</b>	<b>10/31/1974</b>	<b>237</b>	<b>168 133172</b>

**Grantor:** NEW JERSEY ZINC COMPANY

**Grantee:** GULF & WESTERN INDUSTRIES, INC.

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

**Document:** Book 237 Page 168 Reception No. 133172

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>WARRANTY DEED</u></b>	<b>09/01/1983</b>	<b>09/12/1983</b>	<b>368 74</b>	<b>284395</b>

**Grantor:** GULF & WESTERN INDUSTRIES, INC.

**Grantee:** MILLER, GLENN T

Conveys all Gulf & Western property.

**Document:** Book 368 Page 74 Reception No. 284395



<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/01/1983	09/12/1983	368 81	264402
<b>Grantor:</b> MILLER, GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

*Document: Book 368 Page 81 Reception No. 264402*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

*Document: Book 395 Page 786 Reception No. 292080*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	10/24/1995	07/15/1998		662867
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)		<b>Grantee:</b> MILLER, GLENN T.		

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

*Document: Book Page Reception No. 662867*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	10/23/1996	08/31/1998		667858
<b>Grantor:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		<b>Grantee:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

*Document: Book Page Reception No. 667858*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	04/07/1998	08/26/1998		667310
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSPEH G, TRUSTEE		

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

*Document: Book Page Reception No. 667310*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	05/20/1998	10/13/1998		672563
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSEPH G, TRUSTEE		<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY		

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153,  
Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),  
Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153,  
Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 900518

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932053</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys any and all interest in H.E.S. 40, H.E.S. 41, and Brooklyn Placer 19500.

Document: Book Page Reception No. 932053

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called 'Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Document: Book Page Reception No. 932058

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

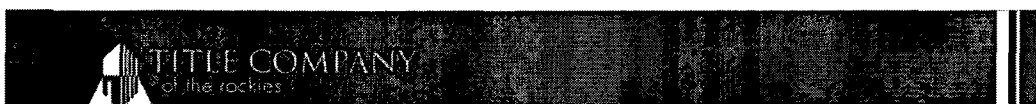
Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Minturn Exception Book 82 Page 16 (and /or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059



**Title Company of the Rockies**  
 10 W. Beaver Creek Blvd #221, Box 980  
 Avon, CO 81620-0980  
 Phone: (970) 949-9497 Fax: (970) 949-9486  
[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: Homestead Entry Survey No. 41**

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>PATENT</u></b>	<b>03/17/1912</b>	<b>11/21/1912</b>	<b>48 581</b>	<b>48581</b>
<b>Grantor:</b> UNITED STATES OF AMERICA		<b>Grantee:</b> BOLT, FRANCIS S		

Patent - H.E.S. 41

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded November 21, 1912 in Book 48 at Page 581. (Affect H.E.S. 41).

**Document:** Book 48 Page 581 Reception No. 48581

**Reception No. RefMap48581**

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	<b>07/29/1916</b>	<b>06/16/1922</b>	<b>102 119</b>	<b>40638</b>
<b>Grantor:</b> BOLT, F S		<b>Grantee:</b> PINE MARTIN MINING COMPANY		

2.93 Acres in H.E.S. 41 (the Pine Martin/HES41 Exception)

Right of way for road 20 feet wide located in a portion of that part of Homestead Entry 41 conveyed to Pine Martin Mining Company, reserved in Deed from F.S. Bolt dated July 29, 1916 and recorded June 16, 1922 in Book 102 at Page 119 (Affects H.E.S. 41)

**Document:** Book 102 Page 119 Reception No. 40638

**Reception No. RefMap40638**

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	<b>05/21/1918</b>	<b>06/10/1918</b>	<b>87 269</b>	<b>36015</b>
<b>Grantor:</b> BOLT, FRANCIS S BOLT, LOUIS J		<b>Grantee:</b> EMPIRE ZINC COMPANY		

Conveys H.E.S. 40 and H.E.S. 41 less the Pine Martin/HES41 Exception

**Document:** Book 87 Page 269 Reception No. 36015

**Reception No. RefMap36015**

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TREASURER'S DEED</u></b>	<b>11/12/1932</b>	<b>11/18/1932</b>	<b>116 153</b>	<b>54550</b>
<b>Grantor:</b> EAGLE COUNTY TREASURER		<b>Grantee:</b> MEEHAN, WILLIAM J		

Contiguous Parcels: 1.5 Acre Part of Brooklyn Placer 19500 & 2.93 acre part of H.E.S. 41 - 1927 Taxes and Subsequent - Owner at Time of Sale: Pine Martin Mining Company (According to Assessor's Records - 1926 through 1932)

**Document:** Book 116 Page 153 Reception No. 54550

**Reception No. RefMap54550**

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	03/30/1933	02/21/1935	116 315	57290
<b>Grantor:</b> MEEHAN, WILLIAM J		<b>Grantee:</b> EMPIRE ZINC COMPANY		

Conveys all interest in the River Bend Mill Site and approximately 2.83 acres in HES41 and approximately 1.5 Acres in the Brooklyn Placer. The acreages in HES41 and Brooklyn Placer are further described by metes & bounds, and the deed further recites that the properties conveyed were acquired by the Treasurer's Deeds recorded in Book 118 Page 152 and Book 116 Page 153.

Document: Book 116 Page 315 Reception No. 57290

Reception No. RefMap57290

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	06/25/1938	08/28/1938	116 513	62933
<b>Grantor:</b> EMPIRE ZINC COMPANY		<b>Grantee:</b> NEW JERSEY ZINC COMPANY		

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

Document: Book 116 Page 513 Reception No. 62933

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	05/24/1974	10/31/1974	237 168	133172
<b>Grantor:</b> NEW JERSEY ZINC COMPANY		<b>Grantee:</b> GULF & WESTERN INDUSTRIES, INC.		

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

Document: Book 237 Page 168 Reception No. 133172

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	09/01/1983	09/12/1983	368 74	264395
<b>Grantor:</b> GULF & WESTERN INDUSTRIES, INC.		<b>Grantee:</b> MILLER, GLENN T		

Conveys all Gulf & Western property.

Document: Book 368 Page 74 Reception No. 264395

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/01/1983	09/12/1983	368 81	264402
<b>Grantor:</b> MILLER, GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 368 Page 81 Reception No. 264402

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Civil Action No. 84CV110 - Judgment Quies Title In Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

*Document: Book 395 Page 786 Reception No. 292080*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	10/24/1995	07/15/1998		662887
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)		<b>Grantee:</b> MILLER, GLENN T.		

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

*Document: Book Page Reception No. 662887*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	10/23/1996	08/31/1998		667858
<b>Grantor:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		<b>Grantee:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

*Document: Book Page Reception No. 667858*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	04/07/1998	08/28/1998		667310
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSEPH G, TRUSTEE		

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

*Document: Book Page Reception No. 667310*



<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	05/20/1998	10/13/1998		672563
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 98-23297MSK ROSANIA, JOSPEH G, TRUSTEE		<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY		

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153.

Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found).

Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153.

Except part of Nelson Addition conveyed to Town of Minturn in Book 82 Page 16, and  
Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Minturn Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 900518

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	12/10/2004	10/05/2005		932053
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys any and all interest in H.E.S. 40, H.E.S. 41, and Brooklyn Placer 19500.

Document: Book Page Reception No. 932053

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	12/10/2004	10/05/2005		932054
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys that part of the Brooklyn Placer as described in Book 102 Page 120, and that part of H.E.S. 41 as described in Book 102 Page 119 and contains survey depictions.

Document: Book Page Reception No. 932054

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	12/10/2004	10/05/2005		932055
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys that part of the Brooklyn Placer as described and that part of H.E.S. 41 as described in Book 118 Page 153 and contains survey depictions.

Document: Book Page Reception No. 932055

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	12/10/2004			10/05/2005 932058
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Document: Book Page Reception No. 932058

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and /or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059

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**Title Company of the Rockies**

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 Phone: (970) 949-9497 Fax: (970) 949-9486  
[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: River Bend Mill Site M.S 19856**

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>PATENT</u></b>	<b>06/27/1920</b>	<b>03/22/1993</b>	<b>604 519</b>	<b>500604</b>

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** PINE MARTIN MINING COMPANY

Patent - River Bend Mill Site 19856

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent dated June 27, 1920 and recorded March 22, 1993 in Book 604 at Page 519, Reception No. 500604. (Affects M.S. 19856 River Bend Mill Site)

 Document: Book 604 Page 519 Reception No. 500604

Reception No. RefMap500604

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>TREASURER'S DEED</u></b>	<b>11/12/1932</b>	<b>11/18/1932</b>	<b>116 152</b>	<b>54549</b>

**Grantor:** EAGLE COUNTY TREASURER

**Grantee:** MEEHAN, WILLIAM J

River Bend Mill Site 19856 - 1927 Taxes and Subsequent - Owner at Time of Sale: Pine Martin Mining Company (According to Assessor's Records - 1926 through 1932)

 Document: Book 116 Page 152 Reception No. 54549

Reception No. RefMap54549

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>DEED</u></b>	<b>03/30/1933</b>	<b>02/21/1935</b>	<b>116 315</b>	<b>57290</b>

**Grantor:** MEEHAN, WILLIAM J

**Grantee:** EMPIRE ZINC COMPANY

Conveys all interest in the River Bend Mill Site and approximately 2.93 acres in HES41 and approximately 1.5 Acres in the Brooklyn Placer. The acreages in HES41 and Brooklyn Placer are further described by metes & bounds, and the deed further recites that the properties conveyed were acquired by the Treasurer's Deeds recorded in Book 116 Page 152 and Book 116 Page 153.

 Document: Book 116 Page 315 Reception No. 57290

Reception No. RefMap57290

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b><u>DEED</u></b>	<b>06/28/1938</b>	<b>06/28/1938</b>	<b>116 513</b>	<b>62933</b>

**Grantor:** EMPIRE ZINC COMPANY

**Grantee:** NEW JERSEY ZINC COMPANY

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

 Document: Book 116 Page 513 Reception No. 62933

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	05/24/1974	10/31/1974	237	168 133172
<b>Grantor:</b> NEW JERSEY ZINC COMPANY	<b>Grantee:</b> GULF & WESTERN INDUSTRIES, INC.			

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

Document: Book 237 Page 168 Reception No. 133172

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	09/01/1983	09/12/1983	368 74	264395
<b>Grantor:</b> GULF & WESTERN INDUSTRIES, INC.	<b>Grantee:</b> MILLER, GLENN T			

Conveys all Gulf & Western property.

Document: Book 368 Page 74 Reception No. 264395

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/01/1983	09/12/1983	368 81	264402
<b>Grantor:</b> MILLER, GLENN T	<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION			

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 368 Page 81 Reception No. 264402

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T	<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION			

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 395 Page 786 Reception No. 292080

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	10/24/1995	07/15/1998		662867
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)	<b>Grantee:</b> MILLER, GLENN T.			

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

Document: Book Page Reception No. 662867

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	<b>10/23/1996</b>	<b>08/31/1998</b>		<b>667858</b>
<b>Grantor:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		<b>Grantee:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

Document: Book Page Reception No. 667858

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>04/07/1998</b>	<b>08/26/1998</b>		<b>667310</b>
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSEPH G, TRUSTEE		

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

Document: Book Page Reception No. 667310

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>05/20/1998</b>	<b>10/13/1998</b>		<b>672563</b>
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSEPH G, TRUSTEE		<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY		

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>01/19/1999</b>	<b>08/28/2000</b>		<b>737734</b>
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 96-23297MSK		<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION		

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

Document: Book Page Reception No. 737734

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	<b>08/22/2000</b>	<b>08/28/2000</b>		<b>737735</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION		<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.		

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

*Document: Book Page Reception No. 737735*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	<b>12/10/2004</b>	<b>12/14/2004</b>		<b>900517</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:  
 Except any portion lying East of Highway 24,  
 Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153,  
 Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),  
 Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153,  
 Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
 Except other properties not now in question.

*Document: Book Page Reception No. 900517*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	<b>12/10/2004</b>	<b>12/14/2004</b>		<b>900518</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 900518*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Document: Book Page Reception No. 932058

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Minturn Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059




**Title Company of the Rockies**

10 W. Beaver Creek Blvd #221, Box 980  
 Avon, CO 81620-0980  
 Phone: (970) 949-9497 Fax: (970) 949-9486  
[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: Brooklyn Placer M.S. 19500**

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>03/12/1906</b>	<b>03/27/1906</b>	<b>67 300</b>	<b>24364</b>
<b>Grantor:</b> HUNTINGTON, W W		<b>Grantee:</b> CRESS, BEN L		
1/3 Interest in Brooklyn Placer 19500				

Document: Book 67 Page 300 Reception No. 24364

Reception No. RefMap24364

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>03/12/1906</b>	<b>03/27/1906</b>	<b>67 299</b>	<b>24368</b>
<b>Grantor:</b> HUNTINGTON, W W		<b>Grantee:</b> COX, W B		
1/3 Interest in Brooklyn Place 19500				

Document: Book 67 Page 299 Reception No. 24368

Reception No. RefMap24368

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>LOCATION CERTIFICATE AMENDED</u></b>	<b>05/22/1906</b>	<b>08/07/1913</b>	<b>71 76</b>	<b>103</b>
<b>Grantor:</b> COURSEN, CHARLES W CRESS, BEN L HUNTINGTON, W W		<b>Grantee:</b> COURSEN, CHARLES W CRESS, BEN L HUNTINGTON, W W		
Location Certificate - Brooklyn Placer				

Document: Book 71 Page 76 Reception No. 103

Reception No. RefMap103

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>12/08/1906</b>	<b>01/05/1907</b>	<b>69 233</b>	<b>24998</b>
<b>Grantor:</b> COX, W B CRESS, BEN L HUNTINGTON, W W		<b>Grantee:</b> DENVER & RIO GRANDE RAILROAD CO		
Part Brooklyn Placer 19500 (Railroad)				

Right Title and Interest of the Denver and Rio Grande Railroad in and that portion of the Land, if any, conveyed in Deed recorded January 5, 1907 in Book 69 at Page 233, Reception No. 24998: (Affects MS19500 Brooklyn Placer)

Document: Book 69 Page 233 Reception No. 24998

Reception No. RefMap24998

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	07/29/1913	07/29/1913	67 505	30958
<b>Grantor:</b> CRESS, BEN L		<b>Grantee:</b> COURSEN, CHARLES W		
1/3 Interest in Brooklyn Place 19500				

Document: Book 67 Page 505 Reception No. 30958

Reception No. RefMap30958

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	07/29/1913	07/29/1913	67 506	30959
<b>Grantor:</b> COX, W B		<b>Grantee:</b> COURSEN, CHARLES W		
1/3 interest in Brooklyn Placer 19500				

Document: Book 67 Page 506 Reception No. 30959

Reception No. RefMap30959

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/12/1916	10/27/1916	86 66	34268
<b>Grantor:</b> HUNTINGTON, W W		<b>Grantee:</b> CRESS, BEN L		
1/3 Interest in Brooklyn Placer 19500				

Document: Book 86 Page 66 Reception No. 34268

Reception No. RefMap34268

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>PATENT</u></b>	11/18/1916	12/04/1916	42 270	34394
<b>Grantor:</b> UNITED STATES OF AMERICA		<b>Grantee:</b> COURSEN, C W HUNTINGTON, W W		

Patent - Brooklyn Placer 19500

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded December 4, 1916 in Book 42 at Page 270. (Affects MS 19500 Brooklyn Placer)

Document: Book 42 Page 270 Reception No. 34394

Reception No. RefMap34394

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	11/28/1916	06/16/1922	102 120	40634
<b>Grantor:</b> COURSEN, CHARLES W CRESS, BEN L		<b>Grantee:</b> PINE MARTIN MINING COMPANY		
1.5 Acres in Brooklyn Placer 19500 (the Pine Martin/Brooklyn Placer Exception)				

Document: Book 102 Page 120 Reception No. 40634

Reception No. RefMap40634

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/05/1917	11/19/1917	86 88	35307
<b>Grantor:</b> COURSEN, CHARLES W		<b>Grantee:</b> CRESS, BEN L		
1/8 Interest in Brooklyn Placer 19500				

Document: Book 86 Page 88 Reception No. 35307

Reception No. RefMap35307

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	05/22/1918	06/19/1918	87 272	36035
<b>Grantor:</b> COURSEN, CHARLES W		<b>Grantee:</b> EMPIRE ZINC COMPANY		
CRESS, BEN L				

Conveys Brooklyn Placer 19500 less the Pine Martin/Brooklyn Placer Exception

Document: Book 87 Page 272 Reception No. 36035

Reception No. RefMap36035

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TREASURER'S DEED</u></b>	11/12/1932	11/18/1932	116 153	54550
<b>Grantor:</b> EAGLE COUNTY TREASURER		<b>Grantee:</b> MEEHAN, WILLIAM J		

Contiguous Parcels: 1.5 Acre Part of Brooklyn Placer 19500 &amp; 2.93 acre part of H.E.S. 41 - 1927 Taxes and Subsequent - Owner at Time of Sale: Pine Martin Mining Company (According to Assessor's Records - 1928 through 1932)

Document: Book 116 Page 153 Reception No. 54550

Reception No. RefMap54550

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	03/30/1933	02/21/1935	116 315	57290
<b>Grantor:</b> MEEHAN, WILLIAM J		<b>Grantee:</b> EMPIRE ZINC COMPANY		

Conveys all interest in the River Bend Mill Site and approximately 2.93 acres in HES41 and approximately 1.5 Acres in the Brooklyn Placer. The acreages in HES41 and Brooklyn Placer are further described by metes & bounds, and the deed further recites that the properties conveyed were acquired by the Treasurer's Deeds recorded in Book 116 Page 152 and Book 116 Page 153.Document: Book 116 Page 315 Reception No. 57290

Reception No. RefMap57290

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	06/25/1938	06/28/1938	116 513	62933
<b>Grantor:</b> EMPIRE ZINC COMPANY		<b>Grantee:</b> NEW JERSEY ZINC COMPANY		

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

Document: Book 116 Page 513 Reception No. 62933

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	05/24/1974	10/31/1974	237	168 133172
<b>Grantor:</b> NEW JERSEY ZINC COMPANY	<b>Grantee:</b> GULF & WESTERN INDUSTRIES, INC.			

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

Document: Book 237 Page 168 Reception No. 133172

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	09/01/1983	09/12/1983	368 74	264395
<b>Grantor:</b> GULF & WESTERN INDUSTRIES, INC.	<b>Grantee:</b> MILLER, GLENN T			

Conveys all Gulf & Western property.

Document: Book 368 Page 74 Reception No. 264395

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>DEED</u></b>	09/01/1983	09/12/1983	368 81	264402
<b>Grantor:</b> MILLER, GLENN T	<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION			

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 368 Page 81 Reception No. 264402

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T	<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION			

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 395 Page 786 Reception No. 292080

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	10/24/1995	07/15/1998		662867
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)	<b>Grantee:</b> MILLER, GLENN T.			

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

Document: Book Page Reception No. 662867

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	10/23/1996	08/31/1998		667858
<b>Grantor:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		<b>Grantee:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

Document: Book Page Reception No. 667858

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	04/07/1998	08/26/1998		667310
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSPEH G, TRUSTEE		

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

Document: Book Page Reception No. 667310

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	05/20/1998	10/13/1998		672563
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSPEH G, TRUSTEE		<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY		

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	01/19/1999	08/28/2000		737734
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 96-23297MSK		<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION		

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

Document: Book Page Reception No. 737734

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	<b>08/22/2000</b>	<b>08/28/2000</b>		<b>737735</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION		<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.		

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

Document: Book Page Reception No. 737735

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	<b>12/10/2004</b>	<b>12/14/2004</b>		<b>900517</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:  
 Except any portion lying East of Highway 24,  
 Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153,  
 Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),  
 Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153,  
 Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
 Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	<b>12/10/2004</b>	<b>12/14/2004</b>		<b>900518</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY		<b>Grantee:</b> GINN BATTLE NORTH LLC		

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 900518

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932053</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys any and all interest in H.E.S. 40, H.E.S. 41, and Brooklyn Placer 19500.

Document: Book Page Reception No. 932053

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	12/10/2004	10/05/2005		932054
<b>Grantor:</b> NOTCH MOUTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys that part of the Brooklyn Placer as described in Book 102 Page 120, and that part of H.E.S. 41 as described in Book 102 Page 119 and contains survey depictions.

*Document: Book Page Reception No. 932054*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	12/10/2004	10/05/2005		932055
<b>Grantor:</b> NOTCH MOUTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED LIABILITY		<b>Grantee:</b> GINN BATTLE NORTH		

Conveys that part of the Brooklyn Placer as described and that part of H.E.S. 41 as described in Book 116 Page 153 and contains survey depictions:

*Document: Book Page Reception No. 932055*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	12/10/2004			10/05/2005 932058
<b>Grantor:</b> NOTCH MOUTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

*Document: Book Page Reception No. 932058*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Minturn Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059

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**Title Company of the Rockies**

 10 W. Beaver Creek Blvd #221, Box 980  
 Avon, CO 81620-0980

Phone: (970) 949-9497 Fax: (970) 949-9486

[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: Gold Star & Treasury Vault Mill Sites M.S. 20712**

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>Patent</u></b>	<b>03/21/1950</b>	<b>04/04/1950</b>	<b>135 95</b>	<b>78764</b>

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** NEW JERSEY ZINC COMPANY

Patent - Gold Star &amp; Treasury Vault Mill Sites 20712

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent dated March 21, 1950 and recorded April 4, 1950 in Book 135 at Page 95. (Affects M.S. 20712 Gold Star and Treasury Vault Mill Sites)

*Document: Book 135 Page 95 Reception No. 78764*

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	<b>05/24/1974</b>	<b>10/31/1974</b>	<b>237</b>	<b>168 133172</b>

**Grantor:** NEW JERSEY ZINC COMPANY

**Grantee:** GULF & WESTERN INDUSTRIES, INC.

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf &amp; Western Industries, Inc.

*Document: Book 237 Page 168 Reception No. 133172*

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>WARRANTY DEED</u></b>	<b>09/01/1983</b>	<b>09/12/1983</b>	<b>368 74</b>	<b>264395</b>

**Grantor:** GULF & WESTERN INDUSTRIES, INC.

**Grantee:** MILLER, GLENN T

Conveys all Gulf &amp; Western property.

*Document: Book 368 Page 74 Reception No. 264395*

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book Page</u></b>	<b><u>Reception No.</u></b>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	<b>08/07/1984</b>	<b>09/27/1984</b>	<b>395 786</b>	<b>292080</b>

**Grantor:** MILLER GLENN T

**Grantee:** BATTLE MOUNTAIN CORPORATION

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

*Document: Book 395 Page 786 Reception No. 292080*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>10/24/1995</b>	<b>07/15/1998</b>		<b>662867</b>

**Grantor:** BATTLE MOUNTAIN CORPORATION (DISSOLVED) **Grantee:** MILLER, GLENN T.

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

*Document: Book Page Reception No. 662867*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	<b>10/23/1996</b>	<b>08/31/1998</b>		<b>667858</b>

**Grantor:** MILLER, GLENN T.

**Grantee:** MILLER, GLENN T.

US BANKRUPT 96-23297MSK

US BANKRUPT 96-23297MSK

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

*Document: Book Page Reception No. 667858*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>04/07/1998</b>	<b>08/26/1998</b>		<b>667310</b>

**Grantor:** BATTLE MOUNTAIN CORPORATION

**Grantee:** MILLER, GLENN, ESTATE OF  
US BANKRUPT 96-23297MSK  
ROSANIA, JOSPEH G, TRUSTEE

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

*Document: Book Page Reception No. 667310*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>05/20/1998</b>	<b>10/13/1998</b>		<b>672563</b>

**Grantor:** MILLER, GLENN, ESTATE OF

**Grantee:** TURKEY CREEK LIMITED LIABILITY COMPANY

US BANKRUPT 96-23297MSK

ROSANIA, JOSPEH G, TRUSTEE

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

*Document: Book Page Reception No. 672563*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	01/19/1999	08/28/2000		737734
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 96-23297MSK				
<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION				

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

Document: Book Page Reception No. 737734

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	08/22/2000	08/28/2000		737735
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.				

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

Document: Book Page Reception No. 737735

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,

Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153.

Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),

Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153.

Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 900518

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	12/10/2004			10/05/2005 932058
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
TIGIWON PROPERTIES				
TURKEY CREEK LIMITED COMPANY				
<b>Grantee:</b> GINN BATTLE NORTH				

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

*Document: Book Page Reception No. 932058*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	12/10/2004	10/05/2005		932059
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
TIGIWON PROPERTIES				
TURKEY CREEK LIMITED COMPANY				
<b>Grantee:</b> GINN BATTLE NORTH				

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 932059*



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[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: Mars Mill Site M.S. 20745**

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>Patent</u></b>	<b>03/03/1954</b>	<b>12/23/1954</b>	<b>146 167</b>	<b>84469</b>

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** NEW JERSEY ZINC COMPANY

Patent - Mars Mill Site 20745

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent dated March 3, 1954 and recorded December 23, 1954 in Book 146 at Page 167. (Affect M.S. 20745 Mars Mill Site)

**Document:** Book 146 Page 167 Reception No. 84469

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	<b>05/24/1974</b>	<b>10/31/1974</b>	<b>237</b>	<b>168 133172</b>

**Grantor:** NEW JERSEY ZINC COMPANY

**Grantee:** GULF & WESTERN INDUSTRIES, INC.

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

**Document:** Book 237 Page 168 Reception No. 133172

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>WARRANTY DEED</u></b>	<b>08/01/1983</b>	<b>09/12/1983</b>	<b>368 74</b>	<b>264395</b>

**Grantor:** GULF & WESTERN INDUSTRIES, INC.

**Grantee:** MILLER, GLENN T

Conveys all Gulf & Western property.

**Document:** Book 368 Page 74 Reception No. 264395

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>DEED</u></b>	<b>08/01/1983</b>	<b>09/12/1983</b>	<b>368 81</b>	<b>264402</b>

**Grantor:** MILLER, GLENN T

**Grantee:** BATTLE MOUNTAIN CORPORATION

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

**Document:** Book 368 Page 81 Reception No. 264402

<b><i>Instrument</i></b>	<b><i>Dated</i></b>	<b><i>Recorded</i></b>	<b><i>Book Page</i></b>	<b><i>Reception No.</i></b>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	<b>08/07/1984</b>	<b>09/27/1984</b>	<b>395 786</b>	<b>292080</b>

**Grantor:** MILLER GLENN T

**Grantee:** BATTLE MOUNTAIN CORPORATION

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

**Document:** Book 395 Page 786 Reception No. 292080



<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>10/24/1996</b>	<b>07/15/1998</b>		<b>662867</b>

**Grantor:** BATTLE MOUNTAIN CORPORATION (DISSOLVED) **Grantee:** MILLER, GLENN T.

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

*Document: Book Page Reception No. 662867*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	<b>10/23/1996</b>	<b>08/31/1998</b>		<b>667858</b>

**Grantor:** MILLER, GLENN T.

**Grantee:** MILLER, GLENN T.

US BANKRUPT 96-23297MSK

US BANKRUPT 96-23297MSK

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

*Document: Book Page Reception No. 667858*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>04/07/1998</b>	<b>08/28/1998</b>		<b>667310</b>

**Grantor:** BATTLE MOUNTAIN CORPORATION

**Grantee:** MILLER, GLENN, ESTATE OF

US BANKRUPT 96-23297MSK

ROSANIA, JOSPEH G, TRUSTEE

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

*Document: Book Page Reception No. 667310*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>05/20/1998</b>	<b>10/13/1998</b>		<b>672563</b>

**Grantor:** MILLER, GLENN, ESTATE OF

**Grantee:** TURKEY CREEK LIMITED LIABILITY COMPANY

US BANKRUPT 96-23297MSK

ROSANIA, JOSPEH G, TRUSTEE

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

*Document: Book Page Reception No. 672563*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	01/19/1999	08/28/2000		737734
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 96-23297MSK				
<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION				

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

*Document: Book Page Reception No. 737734*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	08/22/2000	08/28/2000		737735
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.				

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

*Document: Book Page Reception No. 737735*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153.

Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),

Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153.

Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
Except other properties not now in question.

*Document: Book Page Reception No. 900517*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 900518*



<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Document: Book Page Reception No. 932058

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Minturn Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059


**Title Company of the Rockies**

10 W. Beaver Creek Blvd #221, Box 980  
 Avon, CO 81620-0980  
 Phone: (970) 949-9497 Fax: (970) 949-9486  
[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: May No. 5 Lode M.S. 20043**

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>PATENT</b>	02/19/1928	03/17/1928	88 73	46115

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** EMPIRE ZINC COMPANY

Patent - May No. 5 Lode 20043

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent dated February 19, 1928 and recorded March 17, 1928 in Book 88 at Page 73. (Affects M.S. 20043 May No. 5)

**Document:** Book 88 Page 73 Reception No. 46115

**Reception No. RefMap**46115

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>DEED</b>	06/25/1938	06/28/1938	116 513	62933

**Grantor:** EMPIRE ZINC COMPANY

**Grantee:** NEW JERSEY ZINC COMPANY

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

**Document:** Book 116 Page 513 Reception No. 62933

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>CERTIFICATE OWNERSHIP &amp; MERGER</b>	05/24/1974	10/31/1974	237 168	133172

**Grantor:** NEW JERSEY ZINC COMPANY

**Grantee:** GULF & WESTERN INDUSTRIES, INC.

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

**Document:** Book 237 Page 168 Reception No. 133172

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>WARRANTY DEED</b>	09/01/1983	09/12/1983	368 74	264395

**Grantor:** GULF & WESTERN INDUSTRIES, INC.

**Grantee:** MILLER, GLENN T

Conveys all Gulf & Western property.

**Document:** Book 368 Page 74 Reception No. 264395

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>DEED</b>	09/01/1983	09/12/1983	368 81	264402

**Grantor:** MILLER, GLENN T

**Grantee:** BATTLE MOUNTAIN CORPORATION

Conveys all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

**Document:** Book 368 Page 81 Reception No. 264402



<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	<b>08/07/1984</b>	<b>09/27/1984</b>	<b>395 786</b>	<b>292080</b>
<b>Grantor:</b> MILLER, GLENN T		<b>Grantee:</b>	BATTLE MOUNTAIN CORPORATION	

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 395 Page 786 Reception No. 292080

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>10/24/1995</b>	<b>07/15/1998</b>		<b>662867</b>
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED)		<b>Grantee:</b>	MILLER, GLENN T.	

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

Document: Book Page Reception No. 662867

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	<b>10/23/1996</b>	<b>08/31/1998</b>		<b>667858</b>
<b>Grantor:</b> MILLER, GLENN T. US BANKRUPT 96-23297MSK		<b>Grantee:</b>	MILLER, GLENN T. US BANKRUPT 96-23297MSK	

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

Document: Book Page Reception No. 667858

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>04/07/1998</b>	<b>08/28/1998</b>		<b>667310</b>
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION		<b>Grantee:</b>	MILLER, GLENN, ESTATE OF US BANKRUPT 96-23297MSK ROSANIA, JOSEPH G, TRUSTEE	

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

Document: Book Page Reception No. 667310

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	05/20/1998	10/13/1998		672563
<b>Grantor:</b> MILLER, GLENN, ESTATE OF US BANKRUPT 98-23297MSK ROSANIA, JOSPEH G, TRUSTEE				
<b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY				

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

Document: Book Page Reception No. 672563

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	01/19/1999	08/28/2000		737734
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 98-23297MSK				
<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION				

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

Document: Book Page Reception No. 737734

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	08/22/2000	08/28/2000		737735
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.				

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

Document: Book Page Reception No. 737735

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES LLC TURKEY CREEK LIMITED LIABILITY COMPANY				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153,  
Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),  
Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153,  
Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
Except other properties not now in question.

Document: Book Page Reception No. 900517

Reception No. RefMap900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
TIGIWON PROPERTIES LLC				
TURKEY CREEK LIMITED LIABILITY COMPANY				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 900518*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	12/10/2004			10/05/2005 932058
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
TIGIWON PROPERTIES				
TURKEY CREEK LIMITED COMPANY				
<b>Grantee:</b> GINN BATTLE NORTH				

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

*Document: Book Page Reception No. 932058*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	12/10/2004	10/05/2005		932059
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
TIGIWON PROPERTIES				
TURKEY CREEK LIMITED COMPANY				
<b>Grantee:</b> GINN BATTLE NORTH				

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 78.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 932059*


**Title Company of the Rockies**

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The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: May No. 14 Lode M.S. 20257**

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book</u></b>	<b><u>Page</u></b>	<b><u>Reception No.</u></b>
<b><u>PATENT</u></b>	01/21/1926	03/17/1926	88	69	46114

**Grantor:** UNITED STATES OF AMERICA

**Grantee:** EMPIRE ZINC COMPANY

Patent - May No. 14 Lode et al 20257

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent dated January 21, 1926 and recorded March 17, 1926 In Book 88 at Page 69. (Affects M.S. 20257 (May No. 14 and others)

 Document: Book 88 Page 69 Reception No. 46114
Reception No. RefMap46114

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book</u></b>	<b><u>Page</u></b>	<b><u>Reception No.</u></b>
<b><u>DEED</u></b>	06/25/1938	06/28/1938	116	513	62933

**Grantor:** EMPIRE ZINC COMPANY

**Grantee:** NEW JERSEY ZINC COMPANY

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

 Document: Book 116 Page 513 Reception No. 62933

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book</u></b>	<b><u>Page</u></b>	<b><u>Reception No.</u></b>
<b><u>CERTIFICATE OWNERSHIP &amp; MERGER</u></b>	05/24/1974	10/31/1974	237	168	133172

**Grantor:** NEW JERSEY ZINC COMPANY

**Grantee:** GULF & WESTERN INDUSTRIES, INC.

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf &amp; Western Industries, Inc.

 Document: Book 237 Page 168 Reception No. 133172

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book</u></b>	<b><u>Page</u></b>	<b><u>Reception No.</u></b>
<b><u>WARRANTY DEED</u></b>	09/01/1983	09/12/1983	368	74	264395

**Grantor:** GULF & WESTERN INDUSTRIES, INC.

**Grantee:** MILLER, GLENN T

Conveys all Gulf &amp; Western property.

 Document: Book 368 Page 74 Reception No. 264395

<b><u>Instrument</u></b>	<b><u>Dated</u></b>	<b><u>Recorded</u></b>	<b><u>Book</u></b>	<b><u>Page</u></b>	<b><u>Reception No.</u></b>
<b><u>JUDGMENT (QUIET TITLE)</u></b>	08/07/1984	09/27/1984	395	788	292080

**Grantor:** MILLER GLENN T

**Grantee:** BATTLE MOUNTAIN CORPORATION

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

Document: Book 395 Page 786 Reception No. 292080

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<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>10/24/1995</b>	<b>07/15/1998</b>		<b>662867</b>
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION (DISSOLVED) <b>Grantee:</b> MILLER, GLENN T.				

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

*Document: Book Page Reception No. 662867*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	<b>10/23/1996</b>	<b>08/31/1998</b>		<b>667858</b>
<b>Grantor:</b> MILLER, GLENN T. <b>Grantee:</b> MILLER, GLENN T.				
US BANKRUPT 96-23297MSK US BANKRUPT 96-23297MSK				

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

*Document: Book Page Reception No. 667858*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>04/07/1998</b>	<b>08/26/1998</b>		<b>667310</b>
<b>Grantor:</b> BATTLE MOUNTAIN CORPORATION <b>Grantee:</b> MILLER, GLENN, ESTATE OF				
US BANKRUPT 96-23297MSK				
ROSANIA, JOSPEH G, TRUSTEE				

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

*Document: Book Page Reception No. 667310*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>05/20/1998</b>	<b>10/13/1998</b>		<b>672563</b>
<b>Grantor:</b> MILLER, GLENN, ESTATE OF <b>Grantee:</b> TURKEY CREEK LIMITED LIABILITY COMPANY				
US BANKRUPT 96-23297MSK				
ROSANIA, JOSPEH G, TRUSTEE				

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

*Document: Book Page Reception No. 672563*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	01/19/1999	08/28/2000		737734
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 98-23297MSK				
<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION				

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

*Document: Book Page Reception No. 737734*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	08/22/2000	08/28/2000		737735
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.				

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

*Document: Book Page Reception No. 737735*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,  
Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153.

Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found),

Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153.

Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and  
Except other properties not now in question.

*Document: Book Page Reception No. 900517*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 900518*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

*Document: Book Page Reception No. 932058*

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<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

*Document: Book Page Reception No. 932059*

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**Title Company of the Rockies**  
 10 W. Beaver Creek Blvd #221, Box 980  
 Avon, CO 81620-0980  
 Phone: (970) 949-9497 Fax: (970) 949-9486  
[www.titlecorockies.com](http://www.titlecorockies.com)

The following chain of title represents an abstract of recorded instruments which convey fee simple ownership in the subject property (or part thereof named below), and as such does not necessarily reflect easements, rights of ways, nor any Deeds of Trust or interests of any kind which do not effectively convey ownership of the fee, or which do not effectively exclude, except or reserve an ownership in the fee interest.

Furthermore, the following chain of title does not include the recorded adverse interests (Anglo American, Tucker, et al) referred in the Litigation Guarantee and reflected in the Chain of Adverse Interests included herewith, and as such represents the chain of title as it would appear if unclouded, free & clear of such adverse interests.

*Note: The "Reference Maps" included herewith or downloadable through the links below are for informational and convenience purposes only. These maps do not necessarily represent any exhibits, attachments or any part of the recorded document(s), and as such are intended only as a convenient aid in the identification and location of the properties described in the associated recording.*

**Chain of Title: May No. 14 Lode M.S. 20257**

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>PATENT</b>	01/21/1926	03/17/1926	88 69	46114
<b>Grantor:</b> UNITED STATES OF AMERICA		<b>Grantee:</b> EMPIRE ZINC COMPANY		

Patent - May No. 14 Lode et al 20257

Right of the Proprietor of a Vein or Lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises, and right of way for ditches or canals constructed by the authority of the United States; as reserved in United States Patent dated January 21, 1926 and recorded March 17, 1926 in Book 88 at Page 69. (Affects M.S. 20257 (May No. 14 and others)

**Document:** Book 88 Page 69 Reception No. 46114

**Reception No.** RefMap46114

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>DEED</b>	08/25/1938	06/28/1938	116 513	62933
<b>Grantor:</b> EMPIRE ZINC COMPANY		<b>Grantee:</b> NEW JERSEY ZINC COMPANY		

Conveys all property and interests owned by Empire Zinc Company in Eagle County, Colorado.

**Document:** Book 116 Page 513 Reception No. 62933

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>CERTIFICATE OWNERSHIP &amp; MERGER</b>	05/24/1974	10/31/1974	237	168 133172
<b>Grantor:</b> NEW JERSEY ZINC COMPANY		<b>Grantee:</b> GULF & WESTERN INDUSTRIES, INC.		

Certificate of Ownership and Merger, merging The New Jersey Zinc Company, into Gulf & Western Industries, Inc.

**Document:** Book 237 Page 168 Reception No. 133172

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>WARRANTY DEED</b>	09/01/1983	09/12/1983	368 74	264395
<b>Grantor:</b> GULF & WESTERN INDUSTRIES, INC.		<b>Grantee:</b> MILLER, GLENN T		

Conveys all Gulf & Western property.

**Document:** Book 368 Page 74 Reception No. 264395

<b>Instrument</b>	<b>Dated</b>	<b>Recorded</b>	<b>Book Page</b>	<b>Reception No.</b>
<b>JUDGMENT (QUIET TITLE)</b>	08/07/1984	09/27/1984	395 786	292080
<b>Grantor:</b> MILLER GLENN T		<b>Grantee:</b> BATTLE MOUNTAIN CORPORATION		

Civil Action No. 84CV110 - Judgment Quiets Title in Battle Mountain Corporation. Concerns all interest in the subject and other properties, as well as the "surface only" of other properties not now in question.

**Document:** Book 395 Page 786 Reception No. 292080

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<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>10/24/1995</b>	<b>07/15/1998</b>		<b>662867</b>

**Grantor:** BATTLE MOUNTAIN CORPORATION (DISSOLVED) **Grantee:** MILLER, GLENN T.

Captioned "Present and Future Quit Claim Deed to Miller", Battle Mountain Corporation, a dissolved Colorado corporation, conveys to Glenn T. Miller, all interest in the subject and other properties, as well as the "surface only" of other properties not now in question. (Note: This document also includes as an attachment an "Agreement for the Sale of Stock" agreeing to convey 100% of the shares of the stock of Battle Mountain Corporation to Glenn T. Miller.)

*Document: Book Page Reception No. 662867*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>BANKRUPTCY NOTICE</u></b>	<b>10/23/1996</b>	<b>08/31/1998</b>		<b>667858</b>

**Grantor:** MILLER, GLENN T.

US BANKRUPT 96-23297MSK

**Grantee:** MILLER, GLENN T.

US BANKRUPT 96-23297MSK

US Bankruptcy Court 96-23297-MSK (Affects all Miller Property)

*Document: Book Page Reception No. 667858*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>Quit Claim Deed</u></b>	<b>04/07/1998</b>	<b>08/26/1998</b>		<b>667310</b>

**Grantor:** BATTLE MOUNTAIN CORPORATION

**Grantee:** MILLER, GLENN, ESTATE OF

US BANKRUPT 96-23297MSK

ROSANIA, JOSPEH G, TRUSTEE

Conveys all Battle Mountain Corporation property to Glenn Miller Bankruptcy Estate.

*Document: Book Page Reception No. 667310*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	<b>05/20/1998</b>	<b>10/13/1998</b>		<b>672563</b>

**Grantor:** MILLER, GLENN, ESTATE OF

US BANKRUPT 96-23297MSK

ROSANIA, JOSPEH G, TRUSTEE

**Grantee:** TURKEY CREEK LIMITED LIABILITY COMPANY

Conveys all interests in the property lying East of Highway 24 (Affects Tracts A and B of the subject property, and other property not now in question)

*Document: Book Page Reception No. 672563*

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>TRUSTEE'S DEED</u></b>	01/19/1999	08/28/2000		737734
<b>Grantor:</b> MILLER, GLENN, ESTATE OF ROSANIA, JOSEPH G, TRUSTEE US BANKRUPT 96-23297MSK				
<b>Grantee:</b> NOTCH MOUNTAIN CORPORATION				

Conveys that part of the subject and other property lying West of Highway 24, and excepts other properties not now in question.

Document: Book Page Reception No. 737734

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED</u></b>	08/22/2000	08/28/2000		737735
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> TIGIWON PROPERTIES, L.L.C.				

Conveys that part of the subject and other property, lying West of Highway 24, except that part known as the "Consolidated Tailings Pile" (affects subject), and except other properties not now in question.

Document: Book Page Reception No. 737735

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>WARRANTY DEED</u></b>	12/10/2004	12/14/2004		900517
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Conveys that part of the subject and other property, excepting and excluding therefrom the following exceptions:

Except any portion lying East of Highway 24,

Except part of Brooklyn Placer conveyed to Pine Martin Mining Company in Book 102 Page 120 and to Wm. J. Meehan in Book 116 Page 153.

Except part of H.E.S. 40 conveyed to Pine Martin Mining Company as excepted/excluded in Book 87 Page 269. (Note: No recorded conveyance of any portion of H.E.S. 40 to Pine Martin Mining Company is found).

Except part of H.E.S. 41 conveyed to Pine Martin Mining Company in Book 102 at Page 119, and excepted/excluded in Book 87 Page 269, and conveyed to Wm. J. Meehan in Book 116 Page 153.

Except part of Nelson Addition conveyed to Town of Mintum in Book 82 Page 16, and

Except other properties not now in question.

Document: Book Page Reception No. 900517

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (BOUNDARY LINE)</u></b>	12/10/2004	12/14/2004		900518
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION				
<b>Grantee:</b> GINN BATTLE NORTH LLC				

TIGIWON PROPERTIES LLC

TURKEY CREEK LIMITED LIABILITY COMPANY

Captioned "Boundary Line Deed", conveys by Metes & Bounds description, a portion (See note below) of the subject and other properties not in question.

Note: This Deed apparently places the Town of Mintum Exception Book 82 Page 16 in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 900518

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>SPECIAL WARRANTY DEED (CORRECTION)</u></b>	<b>12/10/2004</b>			<b>10/05/2005 932058</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Deed (Correction of 900517), reconveys those same parcels (with same exclusions/exceptions) as described in Reception No. 900517, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Document: Book Page Reception No. 932058

<i>Instrument</i>	<i>Dated</i>	<i>Recorded</i>	<i>Book Page</i>	<i>Reception No.</i>
<b><u>QUITCLAIM DEED (CORRECTION)</u></b>	<b>12/10/2004</b>	<b>10/05/2005</b>		<b>932059</b>
<b>Grantor:</b> NOTCH MOUNTAIN CORPORATION TIGIWON PROPERTIES TURKEY CREEK LIMITED COMPANY		<b>Grantee:</b> GINN BATTLE NORTH		

Correction Boundary Line Deed (Correction of 900518), reconveys those same parcels as described in Reception No. 900518, and conveys certain additional parcels, lying East of Highway 24, so called Parcels A2 and A3 in said Correction Boundary Line Deed.

The above additional Parcels A2 and A3 appear to be located in or may be referring to the same parcels as Tract A and Tract B, respectively, of the subject property, however, the metes & bounds descriptions of these two parcels appear to differ.

Note: This Correction Boundary Line Deed may incorrectly refer to Book 126 Page 192 where reference to Book 82 Page 16 may have been intended. The land described in Book 126 Page 192 has been excluded from the chain of title subsequent its recording, and is specifically excepted in the Nelson Addition description in Book 131 Page 76.

Note: This Correction Boundary Line Deed apparently places the Town of Mintum Exception Book 82 Page 16 (and/or a Parcel of Land conveyed in Book 126 Page 192) in a location other than as now surveyed, and as such creates an exclusion or exception in the boundary line description, along the most northerly line of the Nelson Addition.

Document: Book Page Reception No. 932059